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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|  |                      |                                  |              |
|--|----------------------|----------------------------------|--------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/603,637 (6,814,038) <i>B2</i> |              |
|  | Filing Date          | 06/25/2003 (11/09/2004)          |              |
|  | First Named Inventor | Franklin R. Smith                |              |
|  | Art Unit             | 3748                             |              |
|  | Examiner Name        | Chang, Ching                     |              |
| Total Number of Pages in This Submission   | 9                    | Attorney Docket Number           | BW-DKT02095A |

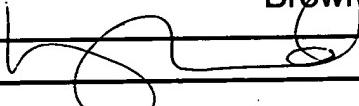
**ENCLOSURES (Check all that apply)**

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                              | <input type="checkbox"/> PostCard   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund                               | <input type="checkbox"/> Certificate of Correction - Applications mistake               |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Remarks   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

**Certificate**

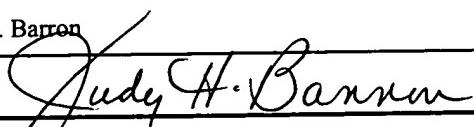
NOV 23 2004

**of Correction****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |   |  |
|-------------------------|---|--|
| Firm or Individual name | Brown & Michaels, PC  |  |
| Signature               |  |  |
| Date                    | 11/17/04  |  |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |   |      |
|-----------------------|---|------|
| Typed or printed name | Judy H. Barron  |      |
| Signature             |  | Date |
|                       | 11/17/04  |      |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 100.00)

## Complete if Known

|                      |                           |
|----------------------|---------------------------|
| Application Number   | 10/603,637 (6,814,038) B2 |
| Filing Date          | 06/25/2003 (11/09/2004)   |
| First Named Inventor | Franklin R. Smith         |
| Examiner Name        | Chang, Ching              |
| Art Unit             | 3748                      |
| Attorney Docket No.  | BW-DKT02095A              |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None

 Deposit Account:

Deposit Account Number  
02-0910

Deposit Account Name  
Brown & Michaels, PC

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments
- Charge any additional fee(s) or any underpayment of fee(s)
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 790                   | 2001 395                   | Utility filing fee     |          |
| 1002 350                   | 2002 175                   | Design filing fee      |          |
| 1003 550                   | 2003 275                   | Plant filing fee       |          |
| 1004 790                   | 2004 395                   | Reissue filing fee     |          |
| 1005 160                   | 2005 80                    | Provisional filing fee |          |
| SUBTOTAL (1)               |                            | (\$ 0.00)              |          |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | -20** =      | x 18.00        | = 0.00   |
|              |                    |                    | - 3** =      | x 88.00        | = 0.00   |
|              |                    |                    |              |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 88                    | 2201 44                    | Independent claims in excess of 3                          |
| 1203 300                   | 2203 150                   | Multiple dependent claim, if not paid                      |
| 1204 88                    | 2204 44                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2)               |                            | (\$ 0.00)  |

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$)                     | Fee (\$)    | Fee Code (\$)  | Fee (\$) | Fee Description | Fee Paid |
|-----------------------------------|-------------|--|----------|-----------------|----------|
| 1051 130                          | 2051 65     | Surcharge - late filing fee or oath  |          |                 |          |
| 1052 50                           | 2052 25     | Surcharge - late provisional filing fee or cover sheet                     |          |                 |          |
| 1053 130                          | 1053 130    | Non-English specification  |          |                 |          |
| 1812 2,520                        | 1812 2,520  | For filing a request for ex parte reexamination                            |          |                 |          |
| 1804 920*                         | 1804 920*   | Requesting publication of SIR prior to Examiner action                     |          |                 |          |
| 1805 1,840*                       | 1805 1,840* | Requesting publication of SIR after Examiner action                        |          |                 |          |
| 1251 110                          | 2251 55     | Extension for reply within first month                                     |          |                 |          |
| 1252 430                          | 2252 215    | Extension for reply within second month                                    |          |                 |          |
| 1253 980                          | 2253 490    | Extension for reply within third month                                     |          |                 |          |
| 1254 1,530                        | 2254 765    | Extension for reply within fourth month                                    |          |                 |          |
| 1255 2,080                        | 2255 1,040  | Extension for reply within fifth month                                     |          |                 |          |
| 1401 340                          | 2401 170    | Notice of Appeal   |          |                 |          |
| 1402 340                          | 2402 170    | Filing a brief in support of an appeal                                     |          |                 |          |
| 1403 300                          | 2403 150    | Request for oral hearing   |          |                 |          |
| 1451 1,510                        | 1451 1,510  | Petition to institute a public use proceeding                              |          |                 |          |
| 1452 110                          | 2452 55     | Petition to revive - unavoidable   |          |                 |          |
| 1453 1,330                        | 2453 665    | Petition to revive - unintentional   |          |                 |          |
| 1501 1,370                        | 2501 685    | Utility issue fee (or reissue)   |          |                 |          |
| 1502 490                          | 2502 245    | Design issue fee   |          |                 |          |
| 1503 660                          | 2503 330    | Plant issue fee  |          |                 |          |
| 1460 130                          | 1460 130    | Petitions to the Commissioner  |          |                 |          |
| 1807 50                           | 1807 50     | Processing fee under 37 CFR 1.17(q)  |          |                 |          |
| 1806 180                          | 1806 180    | Submission of Information Disclosure Stmt                                  |          |                 |          |
| 8021 40                           | 8021 40     | Recording each patent assignment per property (times number of properties) |          |                 |          |
| 1809 790                          | 2809 395    | Filing a submission after final rejection (37 CFR 1.129(a))                |          |                 |          |
| 1810 790                          | 2810 395    | For each additional invention to be examined (37 CFR 1.129(b))             |          |                 |          |
| 1801 790                          | 2801 395    | Request for Continued Examination (RCE)                                    |          |                 |          |
| 1802 900                          | 1802 900    | Request for expedited examination of a design application                  |          |                 |          |
| Other fee (specify)               |             | Certificate of Correction  |          |                 |          |
| *Reduced by Basic Filing Fee Paid |             |  |          |                 | 100.00   |
| SUBTOTAL (3)                      |             | (\$ 100.00)  |          |                 |          |

(Complete if applicable)

| SUBMITTED BY | Name (Print/Type) | Registration No. (Attorney/Agent) | Telephone    | Date     |
|--------------|-------------------|-----------------------------------|--------------|----------|
|              | Lynda M. Wood     | 53,791                            | 607-256-2000 | 11/17/04 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL

## for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 100.00)

## Complete if Known

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|----------------------|----------------------------------|
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| Filing Date          | 06/25/2003 (11/09/2004)          |
| First Named Inventor | Franklin R. Smith                |
| Examiner Name        | Chang, Ching                     |
| Art Unit             | 3748                             |
| Attorney Docket No.  | BW-DKT02095A                     |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

|                        |                      |
|------------------------|----------------------|
| Deposit Account Number | 02-0910              |
| Deposit Account Name   | Brown & Michaels, PC |

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

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| 1004 790      | 2004 395      | Reissue filing fee     |          |
| 1005 160      | 2005 80       | Provisional filing fee |          |
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|--------------------|--------------|----------------|----------|
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| Multiple Dependent | - 3** =      | X 88.00        | = 0.00   |

| Large Entity  | Small Entity  | Fee Description  |
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| 1201 88       | 2201 44       | Independent claims in excess of 3                          |
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| 1204 88       | 2204 44       | ** Reissue independent claims over original patent         |
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| 1451 1,510          | 1451 1,510    | Petition to institute a public use proceeding                              |          |
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| 8021 40             | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 790            | 2809 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 790            | 2810 395      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 790            | 2801 395      | Request for Continued Examination (RCE)                                    |          |
| 1802 900            | 1802 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |               | Certificate of Correction  | 100.00   |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 100.00)

## SUBMITTED BY

(Complete if applicable)

|                   |               |                                      |        |           |              |
|-------------------|---------------|--------------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Lynda M. Wood | Registration No.<br>(Attorney/Agent) | 53,791 | Telephone | 607-256-2000 |
| Signature         |               |                                      |        | Date      | 11/17/04     |

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Number: 6,814,038 *B2*

Issued: November 9, 2004

Name of Patentee: Franklin R. Smith

Title of Invention: Spool Valve Controlled VCT Locking Pin Release Mechanism

Commissioner of Patents

**Attn: Decision and Certificate of Correction Branch  
of the Patent Issue Division**

Alexandra VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT  
FOR APPLICANT'S MISTAKE (37 CFR 1.323)**

1. It is noted that an error appears in the patent of a minor nature or character as more fully described below. The error occurred in good faith and correction thereof does not involve such changes in the patent that would constitute new matter or would require re-examination. A certificate of correction is requested.

2. Attached in duplicate is Form PTO-1050 with at least one copy being suitable for printing.

3. The exact page and line numbers where errors occur in the application file are:

Column 5, line 39, delete the word –housing-- and add the word “rotor”.

Column 5, line 43, delete the word –housing-- and add the word “rotor”.

4. Please send the Certificate to:

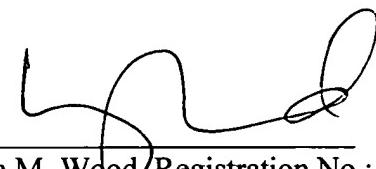
Brown & Michaels PC  
400 M&T Bank Bldg., 118 N. Tioga Street  
Ithaca, New York 14850-4343

DEC 29 2004

12/14/2004 NNGUYEN1 00000074 6814038  
01 FC:1011  
100.00 OP

5. Enclosed is a check for \$100.00 as required by 35 CFR 1.20(a).

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-0910. A duplicate of this requested is attached.

By: 

Lynda M. Wood, Registration No.: 53,791  
BROWN & MICHAELS, PC  
400 M&T Bank Building  
118 N. Tioga Street  
Ithaca, NY 14850  
(607) 256-2000  
(607) 256-3628 (Fax)

DEC 29 2004

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO.: 6,814,038 *B2*

DATED: November 9, 2004

INVENTOR(S): Franklin R. Smith

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 5, line 39, delete the word --housing-- and add the word "rotor".

Column 5, line 43, delete the word --housing-- and add the word "rotor".

MAILING ADDRESS OF SENDER:

PATENT NO. 6,814,038

Brown & Michaels, PC  
400 M&T Bank Building  
118 North Tioga Street  
Ithaca, New York 14850-4343

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

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DATED: November 9, 2004

INVENTOR(S): Franklin R. Smith

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PATENT NO. 6,814,038

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118 North Tioga Street  
Ithaca, New York 14850-4343

DEC 29 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Issued: November 9, 2004

Name of Patentee: Franklin R. Smith

Title of Invention: Spool Valve Controlled VCT Locking Pin Release Mechanism

Commissioner of Patents

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By: 

Lynda M. Wood, Registration No.: 53,791  
BROWN & MICHAELS, PC  
400 M&T Bank Building  
118 N. Tioga Street  
Ithaca, NY 14850  
(607) 256-2000  
(607) 256-3628 (Fax)